IN THE UNITED STATES DISTRICT COURT EASTERN DISTRICT OF ARKANSAS PINE BLUFF DIVISION

COURTNEY SMITH, ADC # 149926

**PLAINTIFF** 

v.

1.

No. 5:15CV00015-JLH-JJV

ANNIE RECTOR, Mental Health Counselor, Arkansas Department of Correction; *et al*.

**DEFENDANTS** 

**ORDER** 

The Court has reviewed the Proposed Findings and Partial Recommended Disposition submitted by United States Magistrate Judge Joe J. Volpe. No objections have been filed. After careful consideration, the Court concludes that the Proposed Findings and Partial Recommended Disposition should be, and hereby are, approved and adopted in their entirety as this Court's findings in all respects.

IT IS, THEREFORE, ORDERED that:

a Claim is GRANTED in part and DENIED in part. Document #28. Defendants Annie Rector and Alexis Mead are DISMISSED from this action without prejudice. Defendants Annie Rector and

Defendants Annie Rector and Alexis Mead's Motion to Dismiss for Failure to State

Alexis Mead's request for a 'with prejudice' dismissal is DENIED.

2. The Court certifies, pursuant to 28 U.S.C. § 1915(a)(3), that an *in forma pauperis* 

appeal from this Order would not be taken in good faith.

SO ORDERED this 27th day of May, 2015.

J. Jean Holms

UNITED STATES DISTRICT JUDGE